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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LIANG LI,

Defendant.

Case 1:18-cr-00001

**GOVERNMENT’S MEMORANDUM IN
AID OF SENTENCING**

Date: September 7, 2018
Time: 10:30 AM
Judge: Hon. Ramona V. Manglona

1 The United States of America hereby submits this memorandum in aid of sentencing.

2 **A. Nature & Circumstances of Offense and Defendant’s History & Characteristics**

3 Defendant Liang Li (“Defendant” or “Li”), pled guilty to Count One of the Indictment,
4 charging him with False Statement in Passport Application, in violation of 18 U.S.C. § 1542, for
5 his role in providing a fraudulent document in support of that application.

6 The Pre-Sentence Investigation Report (“PSR”) accurately describes the offense conduct
7 at paragraphs 9-14, as supplemented by the Government’s Objection emailed to the U.S.
8 Probation Office on July 20, 2018.

B. Factors Pursuant to 18 U.S.C. § 3553(a)(2)

1. The Need for the Sentence Imposed to Reflect the Seriousness of the Offense, Promote Respect for the Law, and Impose Just Punishment

The Government believes that the Court should emphasize this sentencing goal, and the goal of general deterrence, as the most important ones in fashioning an appropriate sentence.

2. The Need for the Sentence Imposed to Deter Criminal Conduct

The Government believes that a sentence of incarceration and a large fine in this case will deter the defendant and others who may be tempted to engage in this type of crime from doing so.

3. The Need for the Sentence Imposed to Protect the Public from Further Crimes

The Government does not believe that Defendant needs to be isolated in order to protect the public from further crimes.

4. The Need for the Sentence Imposed to Provide Defendant with Educational or Vocational Training, Medical Care, or other Correctional Treatment

The Government does not believe that the defendant needs education or vocational training, medical care or other correctional treatment.

C. The Kinds of Sentence Available

The Government agrees that a sentence of incarceration and a large fine is consistent with the statutory range of penalties available for Defendant's offenses.

D. The Sentencing Guidelines

The Government has reviewed the PSR. The Government agrees with PSR paragraph 30, that the U.S.S.G. total offense level is 10.

E. Any Pertinent Policy Statements

The Government believes that a sentence of incarceration and a fine adequately reflects

any pertinent policy statements issued by the Sentencing Commission.

F. The Need to Avoid Unwarranted Disparities

Imposition of a sentence of incarceration and fine will avoid any unwarranted sentencing disparity with others convicted of the same crime.

G. Restitution

Restitution is not an issue in this case.

H. Motion Pursuant to U.S.S.G. § 5K1.1 and Sentence Recommendation

Defendant initially cooperated by providing information concerning other individuals engaged in criminal acts. This cooperation included participation in several proffer sessions, and did lead to some useful information. However, Defendant's cooperation was not substantial enough to warrant any additional consideration beyond the disposition contemplated by the Plea Agreement. In addition, Defendant's attempts to weasel out of his guilty plea call his credibility and usefulness as a witness into doubt.

For the foregoing reasons, the Government recommends a sentence at the lowest end of the appropriate range of 6-12 months, specifically to **6 months** imprisonment, and a \$10,000.00 fine. In all other respects, the Government agrees with and relies upon the recommendation by the U.S. Probation Office, and upon the sound discretion of the Court. This sentence is sufficient but not greater than necessary to comply with the purposes of sentencing. 18 U.S.C. § 3553.

Respectfully submitted on August 31, 2018.

SHAWN N. ANDERSON
United States Attorney

By: /s/ James J. Benedetto
James J. Benedetto
Assistant United States Attorney